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Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-seventh year

Identical letters dated 9 May 2012 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

It is with grave concern that I write to you in follow-up to our letter of 4 May 2012, regarding the precarious condition of Palestinian prisoners and detainees being held by Israel, the occupying Power. Thousands of Palestinian prisoners and detainees remain on a prolonged hunger strike, the majority having begun their strike on 17 April 2012, in an expression of collective non-violent protest against the abusive treatment and deplorable conditions they are being subjected to in Israel's jails and detention centres.

Of immediate concern at this time is the rapidly deteriorating condition of six Palestinians who have been on hunger strike for between 48 and 72 days in protest of their captivity by Israel, the occupying Power, under administrative detention, whereby they are being held without charge and without access to due process of the law or fair trial. Yesterday, the International Committee of the Red Cross (ICRC), whose medical staff has visited the detainees, issued a statement regarding this critical matter, stressing that those six detainees are "in imminent danger of dying".

The health of two detainees — Bilal Diab, age 27, and Thaer Halahla, age 33 — is of particularly grave concern as they have been without food for 72 days now, since 29 February 2012, and continue their hunger strike following Israel's Supreme Court's rejection of their appeals to end their unlawful detention. In addition to such an unjust ruling, Israel, the occupying Power, continues to inhumanely prevent the transfer of the detainees to proper medical facilities and to prevent family visits to the detainees, despite their fragile health conditions and the urgency of such visits to the detainees at this time. Here, we echo the 8 May 2012 call by ICRC for Israel to immediately transfer all six detainees, whose lives are in danger, to a hospital where they can receive specialized medical and nursing care, as well as the call to allow the detainees to receive visits from their families because, as noted by ICRC, "in

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such extreme circumstances, allowing contact with family members becomes an imperative humanitarian need".

We reiterate our condemnation of Israel's illegal practice of arbitrarily detaining Palestinian civilians, without charge, without revelation of evidence against them and without trial. At least 308 Palestinians are currently being held under such circumstances, including two persons held now for more than four and a half years. As noted earlier, since 1967, an estimated 750,000 Palestinians, including 23,000 women and 25,000 children, have been held in detention by the occupying Power.

At this critical juncture, we reiterate our call on the international community, including the Security Council, the General Assembly and other relevant United Nations bodies, to act urgently to compel Israel, the occupying Power, to cease its illegal practice of administrative detention, to cease its human rights violations and affronts to the human dignity of the Palestinians held in its prisons and detention centres, and to act forthwith to release all Palestinians it is unlawfully incarcerating. This crisis requires immediate action by the international community in line with obligations under international law, including the Geneva Convention relative to the Protection of Civilian Persons in Time of War. In this regard, we draw attention to the current efforts of other international bodies, including the League of Arab States and the Non-Aligned Movement, who are seized of the matter and have recently issued calls for urgent action to save the lives of the detainees whose lives are in grave risk and to compel Israel's compliance with the relevant provisions of international law.

We reiterate that Israel, the occupying Power, is fully responsible for the well-being, safety and lives of the thousands of Palestinians in its captivity, including the two thousand who are on hunger strike. Israel cannot be allowed to remain immune from the provisions of international law governing foreign occupation. The international community is duty-bound to ensure that the occupying Power complies with all its legal obligations regarding its treatment of all Palestinian prisoners and detainees it is holding, including children. Here, we stress the justness of the demands of the Palestinian prisoners and detainees, who are only demanding basic rights, enshrined and guaranteed to them under international law.

Tensions in the Occupied Palestinian Territory, including East Jerusalem, are markedly rising due to the gravity of this issue and its continued non-resolution. Daily demonstrations are taking place throughout the Occupied Palestinian Territory in solidarity with the hunger striking prisoners, detainees and their families, with growing calls for a just resolution of their plight. People's lives are at stake, as is the looming possibility for greater instability in the Occupied Palestinian Territory. This situation is seriously endangering the search for peace and security, and thus the responsibility of the international community, including the Security Council, to act to address this crisis is clear.

This letter is in follow-up to our previous 426 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 4 May 2012 (A/ES-10/554-S/2012/297) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations committed against the Palestinian people,

Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Feda **Abdelhady-Nasser**
Chargé d'affaires a.i.